

## **REMARKS**

Claims 1-40 are pending.

Applicants gratefully acknowledge the indication by the Examiner that dependent claims 17 and 18 recite patentable subject matter.

Since the Examiner has concluded that dependent claim 17 recites patentable subject matter, at least some of the same or similar elements recited in dependent claims 17 and 9 have been added to independent claims 1 and 34. New independent claim 42 recites many of the same or similar elements as set forth in dependent claims 17 and 9 and independent claim 25. It is believed that independent claims 1, 34 and 42 are in condition for allowance. Therefore, it is respectfully submitted that claims 1-8, 10-16, 18-24, 34-40 and 42 are in condition for allowance.

Since the Examiner has concluded that dependent claim 18 recites patentable subject matter, at least some of the same or similar elements recited in dependent claims 18 and 9 have been added to independent claim 25. New independent claim 41 recites many of the same or similar elements as set forth in dependent claims 18 and 9 and independent claim 1. New independent claim 43 recites many of the same or similar elements as set forth in dependent claims 18 and 9 and independent claim 34. It is believed that independent claims 25, 41 and 43 are in condition for allowance. Therefore, it is respectfully submitted that claims 25-33, 41 and 43 are in condition for allowance.

Claims 9 and 17 have been cancelled without prejudice.

It is believed that the present application is condition for allowance.

Applicants respectfully reserve the right to pursue, without prejudice, subject matter that was cancelled or amended in a continuing or related application.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

U.S. Application No. 10/672,737, filed September 26, 2003

Attorney Docket No. 14102US02

Amendment dated September 5, 2008

In Response to Office Action mailed May 5, 2008

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: September 5, 2008

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

Reg. No. 44,636

McANDREWS, HELD & MALLOY, LTD.

500 West Madison Street, Suite 3400

Chicago, Illinois 60661

Telephone: (312) 775-8000

Facsimile: (312) 775-8100